

1 MITCHELL D. GLINER, ESQ.
2 Nevada Bar #003419
3 3017 West Charleston Blvd., #95
4 Las Vegas, NV 89102
5 (702) 870-8700
6 (702) 870-0034 Fax
7 Attorney for Plaintiff

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 ALICIA S. MORSE,
11 Plaintiff,

12 vs.

13 EQUIFAX INFORMATION
14 SERVICES LLC,
15 Defendant.

)
)
)
) No.
)
)
)
)
)
)
) JURY DEMANDED

16 COMPLAINT

17 JURISDICTION

18 1. The jurisdiction of this Court attains pursuant to the
19 FCRA, 15 U.S.C. Section 1681(p), and the doctrine of supplemental
20 jurisdiction. Venue lies in the Southern Division of the Judicial
21 District of Nevada as Plaintiff's claims arose from acts of the
22 Defendant perpetrated therein.

23 PRELIMINARY STATEMENT

24 2. The Plaintiff brings this action for damages based upon
25 Defendant's violations of the Fair Credit Reporting Act, 15 U.S.C
26 § 1681 et seq. (hereinafter referred to as "FCRA"), and of state
27 law obligations brought as supplemental claims.

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/ / /

3. Plaintiff is a natural person and is a resident and citizen of the State of Nevada and of the United States. Plaintiff is a "consumer" as defined by § 1681a(c) of the FCRA.

4. The Defendant EQUIFAX INFORMATION SERVICES LLC, ("EQUIFAX") is a corporate entity licensed to do business in the State of Nevada.

5. Equifax is a consumer reporting agency, as defined in § 1681(f) of the FCRA, regularly engaged in the business of assembling, evaluating, and dispersing information concerning consumers for the purpose of furnishing consumer reports, as defined in § 1681a(d) of the FCRA, to third parties.

FACTUAL ALLEGATIONS

6. Plaintiff's creditworthiness has been repeatedly compromised by the acts, obduracy and general indifference of the Defendant.

7. Plaintiff was an authorized user (AU) only on both the Capital One and USAA credit card accounts underlying this action.

8. Plaintiff's former spouse, Sean Morse, was the sole obligor.

9. On March 24, 2011 Plaintiff and Mr. Morse divorced.

10. On November 14, 2011 Plaintiff requested Defendant delete both accounts advising she was an authorized user only (Exhibit 1).

11. Plaintiff additionally explained that she had no personal liability for either account.

12. Plaintiff also expressed:

Please do not "verify" either of these accounts absent production by Capital One and/or USAA of the credit card application bearing my signature.

1 Respectfully, if you simply parrot a
2 verification without first acquiring
3 the application itself, I will be
4 forced to sue you, USAA and/or
 Capital One under the Fair Credit
 Reporting Act.

5 13. Notwithstanding, Defendant verified each account without
6 explanation (Exhibit 2).

7 14. The Capital One account reflects extensive delinquencies.

8 15. The USAA account reflects Plaintiff's ostensible
9 obligation of nearly \$14,000.00.

10 16. Exhibit 2 additionally reflects the verification of two
11 accounts not at all disputed.

12 17. Both Capital One and USAA have since instructed deletion
13 of the disputed accounts (Exhibits 3 and 4).

14 STATEMENT OF CLAIM AS AGAINST DEFENDANT

15 18. In the entire course of its action, Defendant willfully
16 and/or negligently violated the provisions of the FCRA in the
17 following respects:

18 a. By willfully and/or negligently failing, in the
19 preparation of the consumer reports concerning Plaintiff,
20 to follow reasonable procedures to assure maximum
21 possible accuracy of the information in the reports.

22 b. By willfully and/or negligently failing to comport with
23 FCRA § 1681i.

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26 / / /

27 / / /

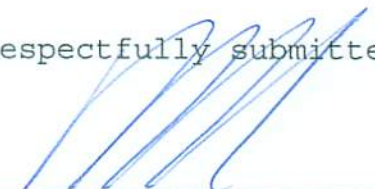
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PRAYER FOR RELIEF

THEREFORE, Plaintiff prays that the court grant the following relief as against Defendant:

- a. actual damages;
- b. punitive damages;
- c. attorney's fees; and
- d. costs.

Respectfully submitted,



MITCHELL D. GLINER, ESQ.
Nevada Bar #003419
3017 West Charleston Boulevard
Suite 95
Las Vegas, NV 89102
Attorney for Plaintiff

November 14, 2011

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

EQUIFAX INFORMATION SERVICES, LLC.
P. O. Box 740241
Atlanta, Georgia 30374

Re: Alicia Sarah Morse

Dear Sir:

This letter is a dispute. I've attached an excerpt from my recent credit profile.

I provide my personal information: Alicia S. Morse; Spouse: N/A; current address: 7228 Eve Court, Las Vegas, Nevada 89145; previous address: 319 Centre Avenue, Apt. 105, Rockland, MA 02370; SSN [REDACTED] 1337; date of birth: April 4, 1973.

Please delete the bracketed Capital One Bank and USAA Credit Card bank account tradelines. I was an authorized user only on each of these cards. However, each erroneously reflects my status as a "Joint account" holder, indicating I am personally liable. My ex-husband originally opened these accounts and I never independently submitted a written application.

Please do not "verify" either of these accounts absent production by Capital One and/or USAA of the credit card application bearing my signature. Respectfully, if you simply parrot a verification without first acquiring the application itself, I will be forced to sue you, USAA and/or Capital One under the Fair Credit Reporting Act.

Thank you in advance for your anticipated cooperation.

Sincerely,



Alicia S. Morse

Enclosures

CC: Capital One (via certified mail, return receipt requested)
USAA Credit Card Bank (via certified, mail return receipt requested)

EXHIBIT I

Equifax FACT Act

10/3/11 10:35 AM



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Save as PDF

Equifax Credit Report™ for Alicia S. Morse

As of: 10/03/2011.

Available until: 11/02/2011

Confirmation #: 1776288381

Report Does Not Update

Important. Please print this report as it will only be available for you to view during this session with Equifax. If you would like to view this credit report online free for 30 days, [click here](#).

Section Title	Section Description
1. Credit Summary	Summary of account activity
2. Account Information	Detailed account information
3. Inquiries	Companies that have requested or viewed your credit information
4. Negative Information	Bankruptcies, liens, garnishments and other judgments
5. Personal Information	Personal data, addresses, employment history
6. Dispute File Information	How to dispute information found on this credit report
7. Summary of Your Rights Under the FCRA	Summary of Your Rights Under the FCRA
8. Remedying the Effects of Identity Theft	Remedying the Effects of Identity Theft
9. Your Rights Under State Law	Your Rights Under State Law

Credit Summary

Your Equifax Credit Summary highlights the information in your credit file that is most important in determining your credit standing by distilling key credit information into one easy-to-read summary.

Accounts

Lenders usually take a positive view of individuals with a range of credit accounts - car loan, credit cards, mortgage, etc. - that have a record of timely payments. However, a high debt to credit ratio on certain types of revolving (credit card) accounts and installment loans will typically have a negative impact.

Open Accounts	Total Number	Balance	Available ¹	Credit Limit ²	Debt to Credit Ratio	Monthly Payment Amount ³	Accounts with a Balance
Mortgage	1	\$116,361	\$0	\$135,375	86%	\$1,021	1
Installment	1	\$2,090	\$0	\$12,000	17%	\$243	1
Revolving	10	\$21,674	\$3,626	\$25,300	86%	\$135	3
Other	0	\$0	N/A	N/A	N/A	\$0	0
Total	12	\$140,125	\$3,626	\$172,675	81%	\$1,399	5

Debt by Account Type

Debt to Credit Ratio by Account Type

Equifax FACT Act

10/3/11 10:35 AM

81-Month Payment History

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2011	*	*	*	*	*	*	*	*	*	*	*	*
2010	*	*	*	*	*	*	*	*	*	*	*	*
2009	*	*	*	*	*	*	*	*	*	*	*	*
2008	*	*	*	*	*	*	*	*	*	*	*	*
2007	*	*	*	*	*	*	*	*	*	*	*	*

USAA FEDERAL SAVINGS 54912372572XXXX 10/1998 \$14,142 09/2011 PAYS AS \$15,300
AGREED

USAA SAVINGS BANK

10750 W Ih 10
San Antonio, TX-782881600

Account Number:	54912372572XXXX	Status:	PAYS AS AGREED
Account Owner:	Joint Account y	High Credit	\$17,346
Type of Account:	Revolving	Credit Limit:	\$15,300
Term Duration:		Terms Frequency:	Monthly (due every month)
Date Opened:	10/1998	Balance:	\$14,142
Date Reported:	09/2011	Amount Past Due:	
Date of Last Payment:	09/2011	Actual Payment Amount:	\$500
Scheduled Payment Amount:		Date of Last Activity:	09/2011
Date Major Delinquency First Reported:		Months Review ed:	58
Creditor Classification:		Activity Designator:	N/A
Charge Off Amount:		Deferred Payment Start Date:	
Balloon Payment Amount:		Balloon Payment Date:	
Date Closed:		Type of Loan:	Flexible Spending Credit Card
Date of First Delinquency:	N/A		
Comments:			

81-Month Payment History

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2011	*	*	*	*	*	*	*	*	*	*	*	*
2010	*	*	*	*	*	*	*	*	*	*	*	*
2009	*	*	*	*	*	*	*	*	*	*	*	*
2008	*	*	*	*	*	*	*	*	*	*	*	*
2007	*	*	*	*	*	*	*	*	*	*	*	*
2006	*	*	*	*	*	*	*	*	*	*	*	*
2005	*	*	*	*	*	*	*	*	*	*	*	*
2004	*	*	*	*	*	*	*	*	*	*	*	*

WFRB-VICTORIA'S SEC 88250XXXX 01/2001 \$0 04/2002 PAYS AS \$15,300
AGREED

WFRB-VICTORIA'S

https://act.econsumer.equifax.com/act/newPoolDetail.html?prod_cd=CRD&sub_cd=ACRO_XML&ref_num=1-119285181496page=printend

Chase Card Services

P.O. Box 15298
Wilmington, DE-19850
(800) 955-9900

Account Number: 588896414057XXXX Status: PAYAS AS AGREED

Account Owner: Individual Account High Credit \$220

Type of Account: 31 Revolving Credit Limit \$800

CHASE - PER 1 588896414057XXXX 07/2004 \$0 09/2008 PAYAS \$800 AS AGREED

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2011	.	.	30	60	90	120	150
2010
2009
2008
2007
2006
2005
2004

81-Month Payment History

CAPITAL ONE BANK USA 529149954522XXXX 08/2002 \$0 09/2011 PAYAS \$3,300 AS AGREED

CAPITAL ONE

PO Box 30281
Salt Lake City, UT-841300281

Account Number: 529149954522XXXX Status: PAYAS AS AGREED

Account Owner: Joint Account High Credit \$8,742

Type of Account: 31 Revolving Credit Limit \$3,300

Term Duration: Monthly (due every month)

Date Opened: 08/2002 Balance: \$0

Date Reported: 09/2011 Amount Past Due: \$0

Date of Last Payment: 08/2011 Actual Payment Amount: \$2,165

Scheduled Payment Amount: 08/2011 Date of Last Activity: 08/2011

Date Major Delinquency First Reported: Months Review ed: 99

Creditor Classification: Activity Designation: Paid and Closed

Charge Off Amount: Deferred Payment Start Date:

Balloon Payment Amount: Balloon Payment Date:

Date Closed: 08/2011 Type of Loan: Credit Card

Date of First Delinquency: N/A

Comments: Account closed at consumers request

Equifax FACT Act

10/3/11 10:35 AM

EQUIFAX

CREDIT FILE : December 15, 2011
Confirmation # 1325029343

Dear Alicia S Morse:

Your request for Equifax to reinvestigate certain items of your credit file is now complete.

Below are your results and a report of your credit file revised, as applicable, as a result of the reinvestigation. If you have additional questions regarding the reinvestigated items, please contact the source of that information directly. You may also contact Equifax regarding the specific information contained within this letter or report within the next 60 days by visiting us at www.investigate.equifax.com or by calling a Customer Representative at (866) 661-5333 from 9:00am to 5:00pm Monday-Friday in your time zone.

Thank you for giving Equifax the opportunity to serve you.

The Results Of Our Reinvestigation

>>> We have reviewed the Identification Information. The results are: Please submit a copy of your driver's license or birth certificate to update your date of birth. Name: Alicia S Morse SSN: 018-82-1337 Birthdate: 9/4/1973

Credit Account Information

(For your security, the last 4 digits of account number(s) have been replaced by X. This section includes open and closed accounts reported by credit grantors)

Account History Status Code	Descriptions	1 : 30-59 Days Past Due	2 : 60-89 Days Past Due	3 : 90-119 Days Past Due	4 : 120-149 Days Past Due	5 : 150-179 Days Past Due	6 : 180 or More Days Past Due	G : Collection Account	H : Foreclosure	J : Voluntary Surrender	K : Repossession	L : Charge Off

>>> We have researched the credit account. Account # - 529149954522* The results are: Equifax verified that this item belongs to you. If you have additional questions about this item please contact: Capital One, PO Box 30281, Salt Lake City UT 84130-0281

Capital One Bank USA NA PO Box 30281 Salt Lake City UT 84130-0281

Account Number	Date Opened	High Credit	Credit Limit	Terms Duration	Terms Frequency	Months Elapd	Activity Designator	Creditor Classification			
529149954522*	-08/2002	\$8,742	\$3,300		Monthly	99					
Items At of Balance Date Reported	Amount First Date	Date of Last Payment	Original Payment Amount	Scheduled Payment Amount	Date of 1st Delinquency	Date of Last Activity	Due Date Charge Off	Deferred Pay Amount	Balance Pay	Pay Date	Date Closed
11/2011	\$0	08/2011	\$2,135	\$0		08/2011	\$0		\$0		08/2011

Status - Pays As Agreed; Type of Account - Revolving; Type of Loan - Credit Card; Whose Account - Joint Account; ADDITIONAL INFORMATION - Account Closed At Consumers Request; Consumer Disputes This Account Information; Credit Card;

Account History with Status Codes	07/2011	08/2011	09/2011	10/2011	11/2011
	5	4	3	2	1

(Continued On Next Page)

001083530-3543
 Alicia S Morse
 7228 Eve Ct
 Las Vegas, NV 89145-6015

EXHIBIT 2

P. O. Box 105518
 Atlanta, GA 30348

>>> We have researched the credit account. Account # - 549123725772* The results are: Equifax verified that this item belongs to you. If you have additional questions about this item please contact: **USAA Savings Bank, 10750 W IH 10, San Antonio TX 78288-1600**

USAA Federal Savings Bank 10750 W IH 10 San Antonio TX 78288-1600

Account Number	Date Opened	Hgh Credit	Credit Limit	Terms Duration	Terms Frequency	Months Revd	Activity Designator	Creditor Classification					
549123725772*	10/1998	\$17,346	\$15,300		Monthly	60							
Items As of Date Reported	Balance	Amount Paid Due	Date of Last Payment	Actual Payment Amount	Scheduled Payment Amount	Date of 1st Delinquency	Date of Last Activity	Date of 1st Paid	Charge Off Amount	Delivered Pay Sheet Date	Balloon Pay Amount	Balloon Pay Date	Date Closed
12/2011	\$13,872	\$0	10/2011	\$0	\$0		11/2011		\$0		\$0		

Status - Pays As Agreed; Type of Account - Revolving; Type of Loan - Flexible Spending Credit Card; Whose Account - Joint Account; ADDITIONAL INFORMATION - :

>>> We have researched the credit account. Account # - 549123731273* The results are: Equifax verified that this item belongs to you. Additional information has been provided from the original source regarding this item. If you have additional questions about this item please contact: **USAA Savings Bank, 10750 W IH 10, San Antonio TX 78288-1600**

USAA Federal Savings Bank 10750 W IH 10 San Antonio TX 78288-1600

Account Number	Date Opened	High Credit	Credit Limit	Terms Duration	Terms Frequency	Months Revd	Activity Designator	Creditor Classification					
549123731273*	04/2007	\$0	\$2,000	Monthly	Monthly	55							
Items As of Date Reported	Balance	Amount Paid Due	Date of Last Payment	Actual Payment Amount	Scheduled Payment Amount	Date of 1st Delinquency	Date of Last Activity	Date Mat. 1st Paid	Charge Off Amount	Delivered Pay Sheet Date	Balloon Pay Amount	Balloon Pay Date	Date Closed
12/2011	\$0	\$0		\$0	\$0				\$0		\$0		

Status - Pays As Agreed; Type of Account - Revolving; Type of Loan - Credit Card; Whose Account - Individual Account; ADDITIONAL INFORMATION - Credit Card;

>>> We have researched the credit account. Account # - 6163* The results are: Equifax verified that this item belongs to you. If you have additional questions about this item please contact: **USAA Federal Savings Bk, 10750 W IH 10, USAA Building Bk P3 East, San Antonio TX 78288-1600 Phone: (800) 531-2265**

USAA Federal Savings Bank PO Box 47504 San Antonio TX 78265-7504 (612) 488-7532

Account Number	Date Opened	High Credit	Credit Limit	Terms Duration	Terms Frequency	Months Revd	Activity Designator	Creditor Classification					
6163*	04/2007	\$13,000	\$0	60 Months	Monthly								
Items As of Date Reported	Balance	Amount Paid Due	Date of Last Payment	Actual Payment Amount	Scheduled Payment Amount	Date of 1st Delinquency	Date of Last Activity	Date of 1st Paid	Charge Off Amount	Delivered Pay Sheet Date	Balloon Pay Amount	Balloon Pay Date	Date Closed
02/2011	\$0	\$0	04/2007	\$13,000	\$277		04/2007		\$0		\$0		04/2007

Status - Pays As Agreed; Type of Account - Installment; Type of Loan - Auto; Whose Account - Individual Account; ADDITIONAL INFORMATION - Account Closed At Consumers Request; Consumer Disputes After Resolution; Auto;

EXHIBIT 3

computer and/or manual records will be adjusted to reflect

EXHIBIT 4